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| 10/632,750 | 08/01/2003 | Yutaka Takata | 16869K-086100US | 4662 |

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| EXAMINER |
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PUENTE, EMERSON C

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| ART UNIT | PAPER NUMBER |
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2113

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09/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/632,750

Applicant(s)

TAKATA ET AL.

Examiner

Emerson C. Puente

Art Unit

2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 8/1/03, 10/15/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is made Non-Final.

Claims 1-20 have been examined.

Claim Objections

Claims 1, 13, and 14 are objected to because of the following informalities:

Regarding claims 1, 13, and 14 please change "the same circuit"(see lines 3-4 of claims) to "a same circuit" as such limitation lacks antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 13 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 and 17 recites the limitation "the plurality of circuit boards" in lines 9 and 2, respectively. There is insufficient antecedent basis for this limitation in the claim. Examiner is uncertain whether or not the applicant intended the limitation to refer to the "circuit board" previously mentioned.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,920,580 of Cramer et al. referred hereinafter "Cramer" in view of US Patent Application No 2003/0145130 of Schultz et al. referred hereinafter "Schultz".

Regarding claim 1, Cramer discloses a disc controller comprising:

a network controlling unit configured to receive a data input/output request sent from an external device through a network (see figure 2 and column 6 lines 1-6).

a disc controlling unit coupled to the network controlling unit by an internal bus provided in the circuit board (see figure 2 and column 6 lines 1-6).

wherein the disc controlling unit is configured to receive a command sent from the network controlling unit through the internal bus and executes a data input/output for a disc drive in response to the command (see column 6 lines 18-20).

wherein the network controlling unit is configured to send the command, for which a plurality of addresses are set, to the disc controlling unit (see column 6 lines 30-35).

wherein the disc controlling unit is configured to receive the command and executes data input/output corresponding to each of the addresses set in the command for the disc drive (see

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column 6 lines 20-25).

However, Cramer fails to explicitly disclose:

the disc controlling unit formed in the same circuit board in which the network controlling unit is formed.

Schultz discloses a network attach storage controller embodied as a printed circuit board (see page 3 paragraph 28).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Cramer and Schultz to have the disk controller embodied as a printed circuit board, thus indicating the disc controlling unit formed in the same circuit board in which the network controlling unit is formed. A person of ordinary skill in the art at the time of the invention could have been motivated because Cramer is concerned with providing a filer or disk controller (see figure 2 and column 5 lines 16-17) and having disk controllers embodied on a printed circuit board, as per teachings of Schultz (see page 3 page 3), constitute a suitable well known implementation of disk controllers.

Regarding claim 2, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses a file system operates in the network controlling unit, the data input/output request designates data, which is input/output to/from the disc drive, based on a file name, and the network controlling unit generates an address corresponding to a storage location of data on the disc drive, which corresponds to the file name set for the data input/output request, and sets the address in the command (see column 6 lines 8-12).

Regarding claim 3, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses wherein the address is a logical address for designating a storage

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location of data in a logical area organized in a disc space of the disc drive (see column 1 lines 23-26).

Regarding claim 4, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses wherein the internal bus is a PCI bus (see column 6 lines 5-6).

Regarding claim 5, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses wherein the network controlling unit includes a communicating section communicating with the external device in accordance with a network protocol (see column 6 lines 40-55).

Regarding claim 6, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses:

a memory accessible in a sharing manner by both the network controlling unit and the disc controlling unit is formed in the circuit board (see figure 2 item 151 and column 5 lines 50-55)

the network controlling unit and the disc controlling unit update, at a predetermined timing, operation state information indicating each of a plurality of operation states of the network controlling unit and the disc controlling unit, which is stored in the memory (see column 5 lines 50-55)

an occurrence of faults in the network controlling unit and disc controlling unit is detected based on the operation state information (see column 5 lines 50-55).

Regarding claim 7, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses wherein the network controlling unit acquires, from the operation state information, an operation state of the disc controlling unit which is a sending

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destination of the command when the network controlling unit sends the command to the disc controlling unit, and determines, depending on the acquired operation state, whether the command should be sent to the disc controlling unit (see column 5 lines 57-67).

Regarding claim 8, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses wherein the network controlling unit investigates the operation state of the disc controlling unit which is a sending destination of the command based on the operation state information when the network controlling unit can not acquire a receipt notification concerning the command sent to the disc controlling unit, and determines, depending on a investigation result thereof, whether the command should be sent to the disc controlling unit again (see column 5 lines 57-67).

Regarding claim 9, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses wherein the network controlling unit investigates the operation state of the disc controlling unit which is a sending destination of the command based on the operation state information when the network controlling unit can not acquire a receipt notification concerning the command sent to the disc controlling unit, and when the network controlling unit judges that the disc controlling unit is not normally operating, the network controlling unit sends the command to at least one of other disc controlling units (see column 5 lines 57-67).

Regarding claim 10, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses a user interface for notifying the occurrence of the faults when the occurrence of the faults is detected (see column 3 lines 39-42).

Regarding claim 11, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses wherein when the occurrence of the faults is detected, a signal for requesting a restart is sent to one of the network controlling unit and the disc controlling unit where the faults have occurred (column 8 lines 50-52).

Regarding claim 12, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses wherein the disc controlling unit includes an interface for connecting a backup device thereto, the network controlling unit includes a section for receiving a backup request concerning the data stored in the disc drive from the external device, and for sending a backup command to the disc controlling unit, the disc controlling unit includes a section for sending a backup instruction concerning the data stored in the disc drive to the backup device upon receipt of the backup command (see column 5 lines 15-45).

Regarding claim 13, Cramer discloses a disc controller comprising:

- a network controlling unit configured to receive a data input/output request sent through a network (see figure 2 and column 6 lines 1-6).

- a disc controlling unit being coupled to the network controlling unit by an internal bus provided, receiving a command sent from the network controlling unit through the internal bus, and inputting/outputting data to/from a disc drive in response to the command (see figure 2 and column 6 lines 1-6).

- wherein the plurality of circuit boards connected so as to be capable of communicating with each other are provided (see column 8 lines 5-15).

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wherein an occurrence of faults of one of the circuit boards is detected by one of the other circuit boards by exchanging a heartbeat message among the circuit boards (see column 8 lines 5-15).

wherein when the occurrence of the faults of one circuit board is detected by one of the other circuit boards, the circuit board different from the circuit board causing the faults stands substitutes for a processing of the circuit board causing the faults (see column 8 lines 15-20).

However, Cramer fails to explicitly disclose:

the disc controlling unit formed in the same circuit board in which the network controlling unit is formed.

Schultz discloses a network attach storage controller embodied as a printed circuit board (see page 3 paragraph 28).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Cramer and Schultz to have the disk controller embodied as a printed circuit board, thus indicating the disc controlling unit formed in the same circuit board in which the network controlling unit is formed. A person of ordinary skill in the art at the time of the invention could have been motivated because Cramer is concerned with providing a filer or disk controller (see figure 2 and column 5 lines 16-17) and having disk controllers embodied on a printed circuit board, as per teachings of Schultz (see page 3 page 3), constitute a suitable well known implementation of disk controllers.

Regarding claim 14, Cramer discloses a controlling method of a disc controller having a network controlling unit configured to receive a data input/output request sent from an external device through a network(see figure 2 and column 6 lines 1-6) and a disc controlling unit

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connected to the network controlling unit by an internal bus provided in the circuit board (see figure 2 and column 6 lines 1-6), receiving a command sent from the network controlling unit through the internal bus, and inputting/outputting data to/from a disc drive in response to the command (see column 6 lines 18-20), the method comprising:

by means of the network controlling unit sending one command, for which a plurality of addresses are set, to the disc controlling unit (see column 6 lines 30-35).

by means of the disc controlling unit receiving the command and executing data input/output corresponding to each of the addresses set in this command for the disc drive (see column 6 lines 20-25).

However, Cramer fails to explicitly disclose:

the disc controlling unit formed in the same circuit board in which the network controlling unit is formed.

Schultz discloses a network attach storage controller embodied as a printed circuit board (see page 3 paragraph 28).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Cramer and Schultz to have the disk controller embodied as a printed circuit board, thus indicating the disc controlling unit formed in the same circuit board in which the network controlling unit is formed. A person of ordinary skill in the art at the time of the invention could have been motivated because Cramer is concerned with providing a filer or disk controller (see figure 2 and column 5 lines 16-17) and having disk controllers embodied on a printed circuit board, as per teachings of Schultz (see page 3 page 3), constitute a suitable well known implementation of disk controllers.

Regarding claim 15, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses wherein the disc controlling unit includes a memory accessible in a sharing manner by both the network controlling unit and the disc controlling unit, the method further comprising updating by the network controlling unit and the disc controlling unit, at a predetermined timing, operation state information indicating each of a plurality of operation states of the network controlling unit and the disc controlling unit, which is stored in the memory and detecting an occurrence of faults in the network controlling unit and disc controlling unit based on the operation state information (see column 5 lines 50-55).

Regarding claim 16, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses wherein the disc controlling unit includes an interface for connecting the external device thereto, the method further comprising receiving by the network controlling unit a backup request concerning data stored in the disc drive from the external device, and sends sending a backup command to the disc controlling unit and sending by the disc controlling unit sends the backup command concerning the data of the disc drive to the backup device upon receipt of the backup command (see column 5 lines 15-45).

Regarding claim 17, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses wherein the disc controlling unit includes the plurality of circuit boards connected so as to be capable of communicating with each other; the method further comprising detecting an occurrence of faults of one circuit board by one of the other circuit boards by exchanging a heartbeat message among the circuit boards (see column 8 lines 5-15) and when one circuit board detects the faults, one of the other circuit boards different from

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the circuit board causing the faults substituting for processing of the circuit board with the faults (see column 8 lines 15-20).

Regarding claim 18, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses a user interface for notifying the occurrence of the faults when the occurrence of the faults is detected (see column 3 lines 39-42).

Regarding claim 19, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses wherein when the occurrence of the faults is detected, a signal for requesting a restart is sent to one of the network controlling unit and the disc controlling unit where the faults have occurred (column 8 lines 50-52).

Regarding claim 20, Cramer in view of Schultz discloses the claim limitations as discussed above. Cramer further discloses wherein the disc controlling unit includes an interface for connecting a backup device thereto, the network controlling unit includes a section for receiving a backup request concerning the data stored in the disc drive from the external device, and for sending a backup command to the disc controlling unit, the disc controlling unit includes a section for sending a backup instruction concerning the data stored in the disc drive to the backup device upon receipt of the backup command (see column 5 lines 15-45).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

See Form PTO-892.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emerson C. Puente whose telephone number is (571) 272-3652. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W. Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink that reads "Emerson Puente". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Emerson Puente
Examiner
AU 2113